



## Defensive Driving Board

Arizona State Courts Building  
1501 West Washington Street  
Phoenix, Arizona 85007

April 20, 2017  
Time: 10:00 a.m.  
Hearing Room 109

### Approved Regular Session Minutes

#### MEMBER ATTENDANCE:

##### Present:

##### Telephonically Present:

##### Absent:

Daniel Edwards	Thomas Davis	Honorable Maria Brewer
Walter "Jack" Weberg	Margaret Stephens-Reed	
William "Patch" Pachnowski		
William Riedel		
Paul Hallums		

#### OTHER ATTENDEES:

##### AOC Staff:

##### Guests:

Debbie MacDougall	David Irons, NTSI
Mark Wilson	Andrea Tazioli
Kate Novak	
Michelle Martinez	
Hal White	
Bill MacIntyre	
Marisa McNally	

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## CALL TO ORDER

*Called to Order By:*

Daniel Edwards, Chair

*Time:*

10:03 a.m.

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## 1) REVIEW AND APPROVAL OF MEETING MINUTES

*Individuals Addressing the Board:*

Daniel Edwards, Chair

*1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of February 16, 2017.*

*Discussion:* None.

*Motion:* Consideration of and motion to accept the regular session minutes of the February 16, 2017 meeting.

*Motion Proposals:* First Walter “Jack” Weberg  
Second Paul Hallums

*Motion Results:* Pass

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## 2) PENDING COMPLAINTS

*Individuals Addressing the Board:*

Bill MacIntyre

*2-A: Review, discussion and possible action regarding Findings of Fact, Conclusions of Law and Recommendation regarding complaint number 15-D025, involving certificate holder, Improv Traffic School.*

*Discussion:* Staff recommends that the Board find Improv Traffic School in default regarding the Notice of Formal Statement of Charges in complaint number 15-D025 served on January 24, 2017, and issue a Censure.

*Motion:* Consideration of and motion to accept staff’s recommendation.

*Motion Proposals:* First Paul Hallums  
Second Walter “Jack” Weberg

*Motion Results:* Pass

***Individuals Addressing the Board:***

Bill MacIntyre

- 2-B:** *Review, discussion and possible action regarding Findings of Fact, Conclusions of Law and Recommendation regarding complaint number 16-D003, involving certificate holder, Improv Traffic School.*

**Discussion:** Staff recommends that the Board find Improv Traffic School in default regarding the Notice of Formal Statement of Charges in complaint number 16-D003 served on January 24, 2017, and issue a Censure.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First: Walter "Jack" Weberg  
Second: William "Patch" Pachnowski

**Motion Results:** Pass

***Individuals Addressing the Board:***

Bill MacIntyre

- 2-C:** *Review, discussion and possible action regarding complaint number 16-D002, involving certificate holder, Traffic School Online.*

**Discussion:** Staff presents research into the claims made on Traffic School Online's website alleged to single out and endorse that particular school. The research reflected that these claims were factually correct. Staff recommends that the Board dismiss complaint number 16-D002.

**Motion:** Quorum is lost due to recusals, this agenda item is deferred until the next meeting.

**Recusals:** William "Patch" Pachnowski  
Paul Hallums

***Individuals Addressing the Board:***

Bill MacIntyre

- 2-D:** *Review, discussion and possible action regarding complaint number 16-D027, involving certificate holder, Arizona Defensive Driving School.*

**Discussion:** Staff recommends that the Board issue a Letter of Concern.

The Board debates between the effectiveness of a Letter of Concern and Censure in this matter due to a history of similar complaints against Arizona Defensive Driving School. The Board agrees on a motion to issue a Letter of Concern but with additional language stating the Board's observation of a pattern of inattention reflected in previous complaints and warning of more formal discipline should the errors continue.

**Motion:** Consideration of and motion to accept staff's recommendation with specific language added to address the pattern of inattention.

**Motion Proposals:** First: Walter "Jack" Weberg  
Second: William "Patch" Pachnowski

**Motion Results:** Pass

**Individuals Addressing the Board:** Mark Wilson

**2-E:** *Review, discussion and possible action regarding complaint number 16-D028, involving certificate holder, Less Cost...Easier...Fun AZ Defensive Driving School.*

**Discussion:** Staff recommends that the Board issue a Letter of Concern.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First: William Riedel  
Second: Walter "Jack" Weberg

**Motion Results:** Pass

**Individuals Addressing the Board:** Bill MacIntyre

**2-F:** *Review, discussion and possible action regarding complaint number 16-D029, involving certificate holder, Ana Durazo.*

**Discussion:** Staff presents the findings of the concluded investigation on driving instructor, Ana Durazo, who has been summarily suspended since November 21, 2016.

Staff recommends that the Board accept the findings of the Probable Cause Evaluator who determined that probable cause exists as to allegation 1.

Furthermore, staff recommends that the Board revoke Ms. Durazo's certification as a defensive driving instructor.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First: Walter "Jack" Weberg  
Second: William Riedel

**Motion Results:** Pass

**Recusals:** Paul Hallums

***Individuals Addressing the Board:***

Debbie MacDougall

**2-G:** *Update regarding the status of pending complaints.*

**Discussion:** Including current agenda item 2-C, which was deferred until the next meeting, 23 pending complaints remain.

**Motion:** None.

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**3) INITIAL CERTIFICATIONS AND ELIGIBILITY**

***Individuals Addressing the Board:***

Hal White

**3-A:** *Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for Pamala Wyatt.*

**Discussion:** Staff recommends certification for Pamala Wyatt with non-disclosure language.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First: William Riedel  
Second: William "Patch" Pachnowski

**Results:** Pass.

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**4) ADMINISTRATIVE ISSUES**

***Individuals Addressing the Board:***

Mark Wilson

**4-A:** *Review, discussion and possible action regarding interim Board Meeting in May.*

**Discussion:** Mark clarifies that the purpose of the May meeting is to review the two major policy changes affecting the number of schools owners are allowed to own and the State's current method of listing schools on the Supreme Court's website. Both school owners and staff will be present to share research findings and proposals.

Mark updates Board on mechanisms deployed by staff to gather feedback on defensive driving program in light of these anticipated policy changes. These mechanisms include reaching out to school owners for their suggestions with a March 30<sup>th</sup> response deadline, researching other states

for policy guidance, and collecting feedback from previous defensive driving students through a mass mailing survey.

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### **CALL TO PUBLIC**

*Individuals Addressing the Board:* None.

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### **ADJOURNMENT**

*Motion Proposals:*    First:            Walter “Jack” Weberg  
                                 Second:        Paul Hallums

*Time:*                    10:59 a.m.